IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1030 OF 2006

1. Manik @ Bapuso Govind Bisure
2. Sou. Shakuntala Govind Bisure
3. Sou. Sunita Namdeo Kundale ..Applicants.

V/s

State of Maharashtra ..Respondent.

Mr. S.J. Patil for the applicants.
Mr. S.Y. Mirza, A.P.P. for the State.

CORAM : V.M. KANADE, J.
DATE : 27TH MARCH, 2006.

P.C.

. Heard the learned Counsel for the applicants and the learned APP for the State.

2. The applicants were arrested in connection with C.R.No. 21/2006 registered at Miraj Rural Police station for the offence punishable under sections 498A and 304 r/w 34 of Indian Penal Code.

3. The applicant No.1 married with the daughter of the complainant on 5/12/2003 and initially according to the complainant she was treated properly, however, soon after the marriage they started demanding dowry. The

deceased had informed the complainant that the applicant No.1 had developed illicit relations with the sister-in-law. The prosecution case is that on 13/2/2006 the body of the deceased was found in the Well. The complaint was filed immediately thereafter.

3. The learned APP has submitted that so far as investigation is still in progress and charge sheet has not been filed. He submitted that post mortem notes indicates that the deceased was assaulted on the day on which she drawn in the well. He submitted that the statements of the witnesses indicate that the applicants had demanded dowry from the deceased as shown in the complaint. Since the charge sheet has not been filed, in my view this is not a fit case to grant bail so far as applicant No.1 is concerned. So far as applicants No.2 and 3 are concerned, in my view, their further custody is not necessary. The learned APP has submitted that the charge-sheet is likely to be filed within 4 weeks. The applicants 2 and 3 are in jail since 16/2/2006. The applicants 2 and 3 are women and therefore, in my view they be released on bail.

4. Hence, application of applicant No.1 for bail is

rejected, however liberty is granted to apply to Sessions Court for bail after charge sheet is filed.

5. Applicants 2 and 3 be released on bail in the sum of Rs. 5000/- each with one or two sureties in the like amount. They shall report to the police station as and whey they are called.

6. Application is accordingly disposed of.

[V.M. KANADE, J.]